

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

NOV 05 2021

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

DANIEL WARMENHOVEN,

Plaintiff - Appellant,

v.

NETAPP, INC. and NETAPP  
EXECUTIVE MEDICAL  
RETIREMENT PLAN,

Defendants - Appellees.

No. 19-16960

D.C. No. 5:17-cv-02990-BLF  
U.S. District Court for Northern  
California, San Jose

**MANDATE**

The judgment of this Court, entered September 13, 2021, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT

By: Rebecca Lopez  
Deputy Clerk  
Ninth Circuit Rule 27-7